

REMARKS

Claims 1-14 were examined and reported in the Office Action. Claims 1-3 and 8-14 are rejected. Claims 4, 10 and 13-14 are cancelled. Claims 1, 5, 8 and 12 are amended. Claims 1-3, 5-9 and 11-12 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. §112, second paragraph

It is asserted in the Office Action that claim 12 is rejected under 35 U.S.C. §112, second paragraph as being indefinite. Applicant has amended claim 12 to overcome the 35 U.S.C. §112, second paragraph rejection.

Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph rejection for claim 12 is respectfully requested.

II. 35 U.S.C. §102

A. It is asserted in the Office Action that claims 1-3 and 13-14 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,167,740 issued to Shriver ("Shriver").

Applicant has cancelled claims 13-14. Applicant has amended claim 1 to include the limitations of claim 4. As asserted in the Office Action, claim 4 would be allowable if amended to include the limitations of the base claim. Therefore, amended claim 1 is allowable over the prior art as "none of the cited art discloses a linkage comprising two elements, one of the elements carrying means for fixing a retaining device enabling the operative to control tilting of the arm." (Office Action, page 4, paragraph 8).

Accordingly, withdrawal of the 35 U.S.C. §102(b) rejection for claims 1-3 and 13-14 are respectfully requested.

B. It is asserted in the Office Action that claims 1, 8-10 and 13-14 are rejected under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 4,151,534 issued to Bond ("Bond").

Claim 10 and 13-14 are cancelled. Applicant has amended claim 1 to include the limitations of claim 4. As asserted in the Office Action, claim 4 would be allowable if amended to include the limitations of the base claim. Therefore, amended claim 1 is allowable over the prior art as "none of the cited art discloses a linkage comprising two elements, one of the elements carrying means for fixing a retaining device enabling the operative to control tilting of the arm." (Office Action, page 4, paragraph 8). Additionally, applicant's claim 8 is amended to depend on amended claim 1. Therefore, amended claim 8 is allowable for the same reasons given above.

Accordingly, withdrawal of the 35 U.S.C. §102(b) rejection for claims 1, 8-10 and 13-14 are respectfully requested.

III. Allowable Subject Matter

Applicants appreciate the Examiner's assertion that claims 4-7 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 1 to include the limitations of claim 4.

Applicant notes that claims 11-12 are not rejected over any prior art. Therefore, Applicant asserts that claims 11-12, as they now stand, are allowable.

Applicant respectfully asserts that claims 1-3, 5-9 and 11-12, as it now stands, are allowable for the reasons given above.



CONCLUSION

In view of the foregoing, it is submitted that claims 1-3, 5-9 and 11-12 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

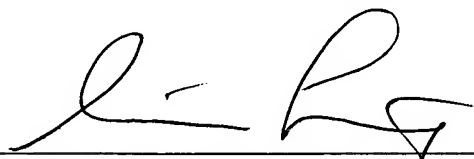
PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on December 16, 2003, Applicant respectfully petitions the Commissioner for a two (2) month extension of time, extending the period for response to MONDAY, MAY 16, 2004 (MAY 16, 2004 being a SUNDAY). The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of \$420.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(2) large entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP


Dated: May 17, 2004

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

By: 
Steven Laut, Reg. No. 47,736

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on May 17, 2004.


Jean Svoboda